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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER TRAN, QUOC A	

ART UNIT	PAPER NUMBER
2176	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/782,064	Applicant(s) MOTOYAMA ET AL.	
	Examiner Tran A. Quoc	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6-27; 8-18; 12-7 of 2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is a final rejection in response to amendment filed on 10-10-2006.
2. Claims 1-25 are pending.
3. Effective filing date 02-14-2001.

Claim Objection

4. Claim 25 (New) of the amendment filed 6-10-06 were not properly labeled. This claim has been treated as if the status identifier of "previously presented" had been included. If this is not correct, applicants should notify the USPTO with a corrected amendment. Any future correspondence must contain the proper status identifiers." (MPEP 37 CFR 1.121)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1- 4, 9-12 and 17-20 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable by Aikens et al. US005414494A – issued 05-09-1995 (hereinafter Aikens), in view of Venkatraman et al. US005956487A – issued 09-21-1999 (hereinafter Venkatraman), further in view of Webb et al US005727135A – issued 03-10-1998 (hereinafter Webb).

Regarding independent claim 1, Aiken teaches receiving from a first one of the plurality of target applications through an interface by a monitoring device in the appliance or device, a request to send first information monitored usage of the first one of the plurality of target applications to a first predetermined destination. Specifically Aiken discloses a printer device with operation monitoring (collection) capabilities (Aikens Abstract), whereby said printer comprises control boards (target applications) providing control for predetermined systems of said printer (Aikens Figure 2 items 102, 104, and 106). Since Aikens teaches that any one of the control boards can be the master control for the other boards, Aiken Figure 2 item 108 (with modem item 120), can be designated as the master controller, and therefore reasonably interpreted as a **first predetermined destination** of Applicant invention. In order for item 36 and 52 of Aikens (Aikens internal user interface - see Aikens Figure 2) to monitor accordingly, communication (i.e. a "first request" for "first" information) commences between said interface, the master control, and the various control board applications (one or more boards) utilizing communication channel 98, said information comprising monitoring (i.e. usage) information;

Aikens does not explicitly teach, but Venkatraman teaches the **first communication protocol using a first data format**. For example Venkatraman discloses the embedding Web access in an appliance (i.e. a printer) for user interface functions (Venkatraman Abstract). With reference to Venkatraman Figure 1a, Venkatraman discloses monitoring of a printer device via printer device (item 10), an embedded monitor for monitoring accordingly (item 16), an embedded web server (item 14), and an embedded web page dynamically created to provide monitored information and user interface functions (Venkatraman col. 3 lines 5-42).

It is noted that all of the above items reside within printer device item 10. Venkatraman also discloses HTTP as a protocol, and HTML as a language (format) (Venkatraman col. 2 lines 42-48).

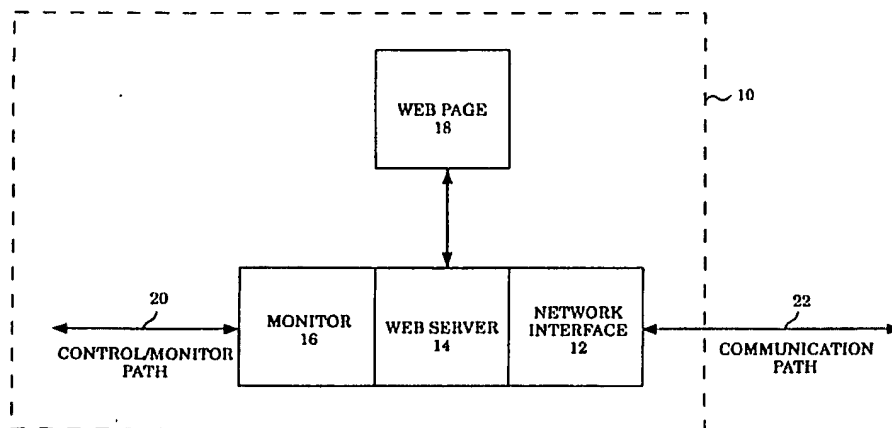


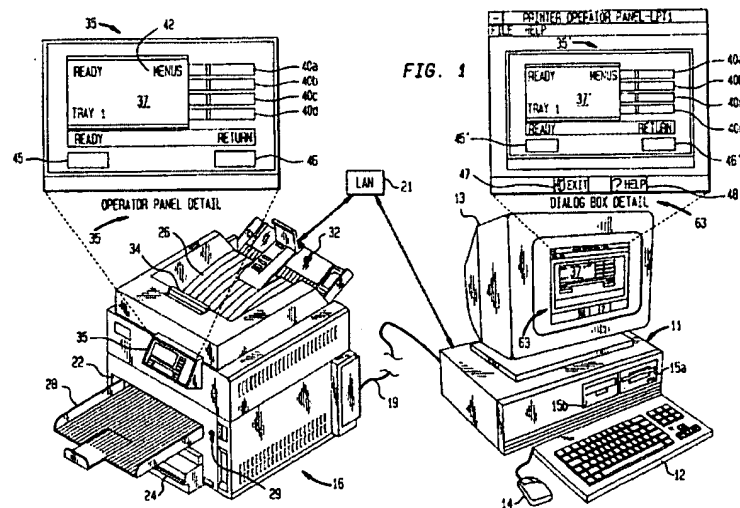
Figure 1a

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Venkatraman's HTTP and HTML protocol and format to Aiken's internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced user interface, and for providing monitoring utilizing Aikens's modem interface connected to the Internet.

Aikens does not explicitly teach, but Webb teaches **receiving from a second one of the plurality of target applications through the interface, by the monitoring device, a request to send second information regarding monitored usage of the second one of the plurality of target applications to a second predetermined destination through a second communication protocol using a second data format, wherein the first communication protocol is different from the second communication protocol.** Specifically Webb discloses the remote printer

Art Unit: 2176

status information indication that is used for monitoring printer status (Webb Abstract). With reference to Figure 1, Webb discloses a computer (reasonably interpreted as a second destination) connected to a printer device via cable (item 19). Although Webb discloses said item as a parallel interface, Web also discloses this interface can be serial based as well (see Webb column 11 lines 1-5, column 10 lines 1-3). Webb discloses bi-directional communication of monitoring information via the Network Printer Alliance Protocol (NPAP), which is a protocol specific to printer communication. Webb also discloses that NPAP is a "format" (see Webb column 7 lines 40-53, and column 8 lines 20-25, Fig. 1). It is also noted that the NPAP protocol/format is different from the HTTP/HTML protocol/format.



It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Webb to Aikens (using Aikens's serial port - see Aikens column 6 line 7), providing Aikens the benefit of bi-directional control to Aikens's status (usage) monitoring, facilitating accurate visual monitoring.

Regarding independent claim 9, the rejection of claim 1 is fully incorporated.

Regarding independent claim 17, the rejection of claim 1 is fully incorporated. In addition, a program product comprising a computer readable medium embodying program instructions for causing an object-oriented system to perform the method of claim 1 (Aikens col. 6, lines 2 lines 15-25).

Regarding claim 2, Aikens and Webb do not explicitly teach, but Venkatraman teaches **wherein the first data format includes one of text format, binary format, comma separated format and XML format and the first communication protocol includes one of, Simple Mail Transfer Protocol (SMTP), File Transfer Protocol and local disk**. For example Venkatraman teaches HTTP as a protocol, and HTML as a language (format) (Venkatraman column 2 lines 42-48). See also Aiken Fig. 2 item 118 “mem”- reasonably interpreted as a disk, since a disk is a well-known form of memory, in this case the “mem” Fig. 2 item 118 resides within the unit (i.e. local). See also (Venkatraman at col. 3, lines 60-65) teaches the communication path item 22 represents any communication means that is capable of transferring HTML (format) files according to the HTTP web protocol (i.e. FTP) (see Venkatraman at col. 3, lines 60-65).

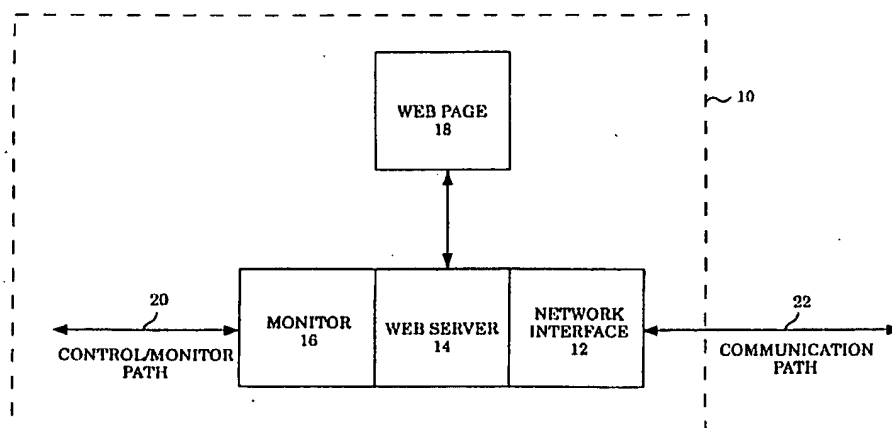


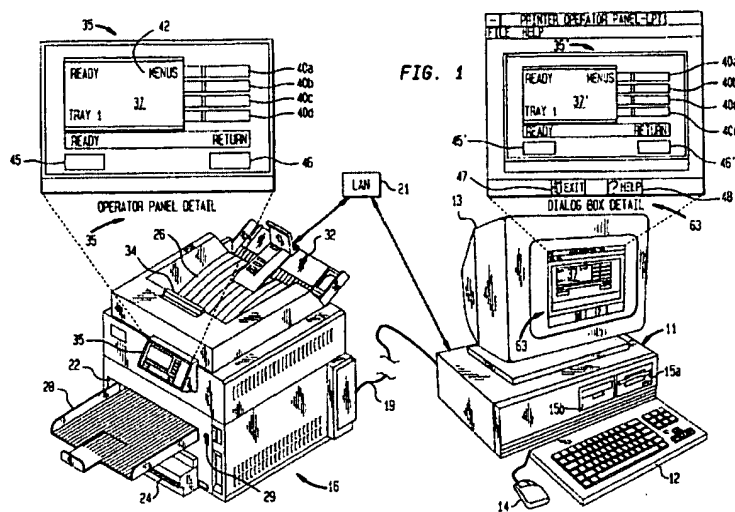
Figure 1a

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Venkatraman's HTTP and HTML protocol and format to Aiken's internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced user interface, and for providing monitoring utilizing Aikens's modem interface connected to the Internet.

Regarding claim 3, Aikens does not explicitly teach, but Venkatraman in combination with Webb teach **wherein the first data format is different from the second data format**. For example Venkatraman discloses the embedding Web access in an appliance (i.e. a printer) for user interface functions (Venkatraman Abstract). With reference to Venkatraman Figure 1a, Venkatraman discloses monitoring of a printer device via printer device (item 10), an embedded monitor for monitoring accordingly (item 16), an embedded web server (item 14), and an embedded web page dynamically created to provide monitored information and user interface functions (Venkatraman col. 3 lines 5-42).

It is noted that all of the above items reside within printer device item 10. Venkatraman also discloses HTTP as a protocol, and HTML as a language (format) (Venkatraman col. 2 lines 42-48).

In addition, Webb discloses that NPAP is a "format" (see Webb column 7 lines 40-53, and column 8 lines 20-25). It is also noted that the NPAP protocol/format is different from the HTTP/HTML protocol/format.



It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teaching of Aikens (using Aikens's serial port - see Aikens column 6 line 7), providing Aikens the benefit of bi-directional control to Aikens's status (usage) monitoring, facilitating accurate visual monitoring, to include the teaching of Venkatraman's HTTP and HTML protocol and format to Aiken's internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced user interface, and for providing monitoring utilizing Aikens's modem interface connected to the Internet, and the remote printer status information indication that is used for monitoring printer status and also includes Webb's Protocol (NPAP), which is a protocol specific to printer communication. Webb also discloses that NPAP is a "format" wherein the NPAP protocol/format is different from the HTTP/HTML protocol/format (see Webb column 7 lines 40-53, and column 8 lines 20-25).

Regarding claim 4, the rejection of claim 1 is fully incorporated. In addition, Aikens teaches **sending the first format data to the first predetermined destination first**

Art Unit: 2176

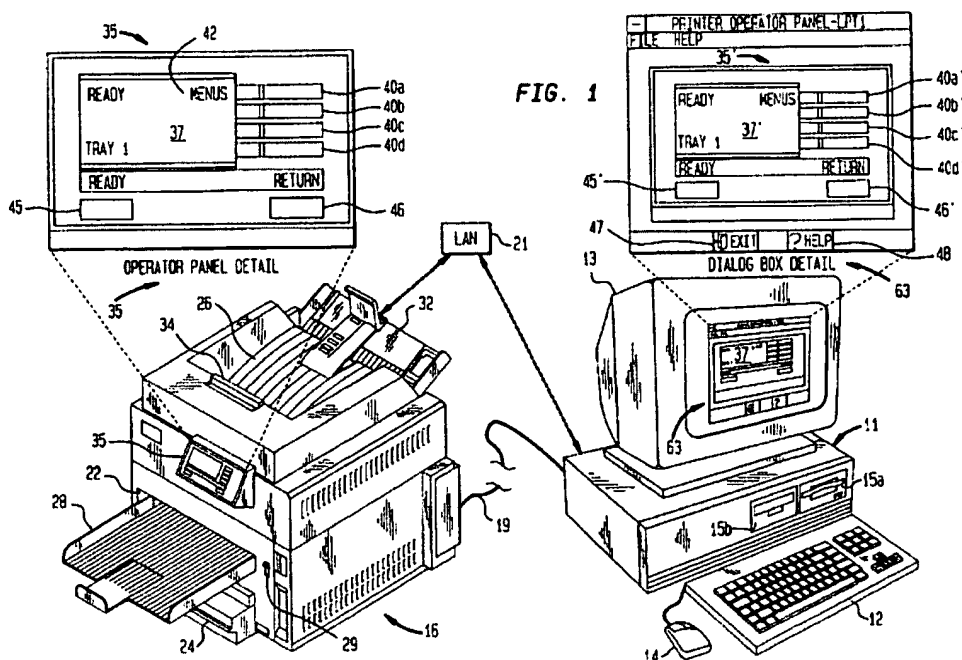
communication protocol. Specifically Aiken teaches a printer device with operation monitoring (collection) capabilities (Aikens Abstract), whereby said printer comprises control boards (target applications) providing control for predetermined systems of said printer (Aikens Figure 2 items 102, 104, 106). Since Aikens teaches that any one of the control boards can be the master control for the other boards, Aiken Figure 2 item 108 (with modem item 120), can be designated as the master controller, and therefore reasonably interpreted as a **first predetermined destination.** In order for item 36 and 52 of Aikens (Aikens internal user interface - see Aikens Figure 2) to monitor accordingly, communication (i.e. a "first request" for "first" information), and therefore reasonably interpreted as a **first communication protocol** commences between said interface, the master control, and the various control board applications (one or more boards) utilizing communication channel 98, said information comprising monitoring (i.e. usage) information.

Aikens does not explicitly teach, but Venkatraman teaches **formatting the first information into the first format data according to the first data format, formatting the second information into second formatted data according to the second data format.** For example Venkatraman teaches formatting into HTML (see Venkatraman at col. 4, lines 50-55), and Webb teaches translation into NPAP compliant format (see Webb at col. 7, lines 40-50 and at col. 8, lines 20-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Venkatraman's HTTP and HTML protocol, formatting and Webb's teaching of translation into NPAP compliant format to Aiken's internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced

user interface, and for providing monitoring utilizing Aikens's modem interface connected to the Internet.

Aikens and Venkatraman do not explicitly teach, but Webb teaches **sending the second predetermined destination through a second communication protocol using a second data format, wherein the first communication protocol is different from the second communication protocol**. Specifically Webb teaches remote printer status information indication for monitoring printer status (Webb Abstract). With reference to Figure 1, Webb teaches a computer (reasonably interpreted as a second destination) connected to a printer device via cable (item 19). Although Webb teaches said item as a parallel interface, Web also teaches this interface can be serial based as well (see Webb column 1 I lines 1-5, column 10 lines 1-3). Webb teaches bi-directional communication of monitoring information via the Network Printer Alliance Protocol (NPAP) which is a protocol specific to printer communication. Webb also teaches that NPAP is a "format" (see Webb column 7 lines 40-53, and column 8 lines 20-25). It is also noted that the NPAP protocol/format is different from the HTTP/HTML protocol/format.



It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Webb to Aikens (using Aikens' serial port - see Aikens column 6 line 7) and using Venkatraman's teaching of the HTTP web protocol that capable of transferring HTML format (see Venkatraman at col. 3, lines 60-65), providing Aikens the benefit of bi-directional control to Aikens' status (usage) monitoring, facilitating accurate visual monitoring.

Regarding claims 10-12, the rejection of claims 2-4 are fully incorporated. In addition, a system embodied therein for performance the method of claims 2-4 (Aikens col. 6, lines 2 lines 15-25).

Regarding claim 18, the rejection of claim 2 is fully incorporated. In addition, a program product embodied therein for performance the method of claim 2 (Aikens col. 6, lines 2 lines 15-25).

Regarding claim 19, the rejection of claim 3 is fully incorporated. In addition, a program product embodied therein for performance the method of claim 2 (Aikens col. 6, lines 2 lines 15-25).

Regarding claim 20, the rejection of claim 4 is fully incorporated. In addition, a program product embodied therein for performance the method of claim 4 (Aikens col. 6, lines 2 lines 15-25).

Regarding claim 25, the rejection of claim 5 is fully incorporated. In addition, Aikens teaches **wherein the first predetermine destination is a component internal to the appliance or device**. Specifically Aikens teaches in Fig. 2, item 108 “mem”, which is “internal” to the printer.

7. **Claims 5-8, 13-16 and 21-24** are rejected under 35 U.S.C. 103(a) as being unpatentable by Aikens et al. US005414494A – issued 05/09/1995 (hereinafter Aikens), in view of Venkatraman et al. US005956487A – issued 09/21/1999 (hereinafter Venkatraman), further in view of Webb et al US005727135A – issued 00/10/1998 (hereinafter Webb), further in view of D’Souza et al. US006745224B1– filed 12/06/1996 (hereinafter D’Souza).

Regarding dependent claim 5, Aikens does not explicitly teach, but Venkatraman teaches the **step of formatting the first information includes creating a first software class, and creating a first formatted information software object**. For example Venkatraman discloses HTTP as a protocol, and HTML as a language (format) (Venkatraman col. 2 lines 42-48). The Examiner reads the claimed **a first software class** as equivalent to Venkatraman’s HTML as a language (format), and the claimed **a first software class** as equivalent to Venkatraman’s HTML as a language (format). Furthermore, Venkatraman disclosing the HTTP

protocols that enable various control functions for the device 10 to be initiated from a web client via the communication path 22. The web page 18 may contain text, images, multimedia files, forms, tables or any object type supported by the HTTP and HTML protocols (Venkatraman col. 3 lines 30-45).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Venkatraman's HTTP and HTML protocol, formatting and Webb's teaching of translation into NPAP compliant format to Aiken's internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced user interface, and for providing monitoring utilizing Aikens' modem interface connected to the Internet.

Aikens, Venkatraman, and Webb do not explicitly teach, but D'Souza teaches **having a declared virtual function**. Specifically D'Souza discloses Microsoft Corporation's COM specification defines binary standards for objects and their interfaces whereby a typical object is represented in the system by an instance data structure, a virtual function table, and member functions (D'Souza col. 15, lines 30-40).

In addition, Aikens, Venkatraman, and Webb do not explicitly teach, but D'Souza teaches **creating a second software class derived from the first software class having a first definition of the declared virtual function**. Specifically D'Souza disclosing the client programs interact with the object by calling the member functions on a particular interface of the object. The object also exhibits polymorphism and inheritance in that the object which can provide interfaces in common with a base class and other similar objects, so that client programs can interact with each of the objects in the same manner by calling member functions of the interface that the objects have in common (D'Souza col. 16, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply D'Souza's Object Oriented Programming (OOP) compiles language C++, providing the class inherent and virtual function that benefit Venkatraman's HTTP and HTML protocol and format to Aiken's internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced user interface, and for providing monitoring utilizing Aikens' modem interface connected to the Internet.

Regarding claim 6, Aikens, Venkatraman, and D'Souza do not explicitly teach, but Webb teaches **formatting first formatted information according to one of comma separated format and XML format**. Specifically Webb teaches bi-directional communication of monitoring information via the Network Printer Alliance Protocol (NPAP) which is a protocol specific to printer communication. Webb also teaches that NPAP is a "format" (see Webb column 7 lines 40-53, and column 8 lines 20-25). It is also noted that the NPAP protocol/format is different from the HTTP/HTML protocol/format. Further more Webb also teaches that NPAP protocol/format is formatting using; bytes ordering (comma separated format) (Webb at col. 1260 through col. 13, line 25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Venkatraman's HTTP and HTML protocol and format using bytes ordering (comma separated format) to D'Souza's Object Oriented Programming (OOP) compiles language C++, providing the class inherent and Aiken's internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced user interface, and for providing monitoring utilizing Aikens' modem interface connected to the Internet.

Regarding claim 7, the rejection of claim 5 is fully incorporated. In addition, Aikens, Venkatraman, and Webb do not explicitly teach, but D'Souza teaches **the third software class**,

derives from the first software class, having a second definition of the declare virtual function.

Specifically D'Souza disclosing the client programs interact with the object by calling the member functions on a particular interface of the object. The object also exhibits polymorphism and inheritance in that the object which can provide interfaces in common with a base class and other similar objects, so that client programs can interact with each of the objects in the same manner by calling member functions of the interface that the objects have in common (D'Souza col. 16, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply D'Souza's Object Oriented Programming (OOP) compiles language C++, providing the class inherent and virtual function that benefit Venkatraman's HTTP and HTML_ protocol and format to Aiken's internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced user interface, and for providing monitoring utilizing Aikens' modem interface connected to the Internet.

Regarding claim 8, Aiken, and D'Souza do not explicitly teach, but Venkatraman teaches creating a first formatted data software object, comprises: formatting first formatted data according to one of binary format and text format. For example Venkatraman discloses formatting into HTML (see Venkatraman at col. 4, lines 50-55), and Webb teaches translation into NPAP compliant format (see Webb at col. 7, lines 40-50 and at col. 8, lines 20-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Venkatraman's HTTP and HTML protocol, formatting and Webb's teaching of translation into NPAP compliant format to Aikens' internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced

user interface, and for providing monitoring utilizing Aikens' modem interface connected to the Internet.

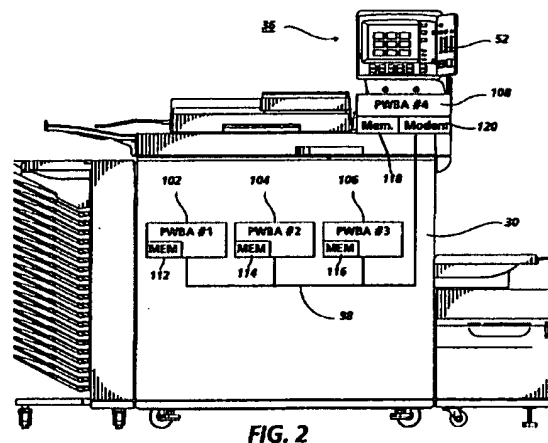
Regarding claims 13-16, the rejections of claims 5-8 are fully incorporated.

Regarding claims 21-24, the rejections of claims 5-8 are fully incorporated.

Response to Argument

Brief summary of prior art of record

Aikens discloses a printer device with operation monitoring (collection) capabilities (Aikens Abstract), whereby said printer comprises control boards (target applications) providing control for predetermined systems of said printer (Aikens Fig. 2 items 102, 104, and 106).



Venkatraman discloses the embedding Web access in an appliance (i.e. a printer) for user interface functions (Venkatraman Abstract), an embedded monitor for monitoring accordingly (item 16), an embedded web server (item 14), and an embedded web page dynamically created to provide monitored information and user interface functions via communication path (item 22) (Venkatraman col. 3 lines 5-42, Fig. 1a).

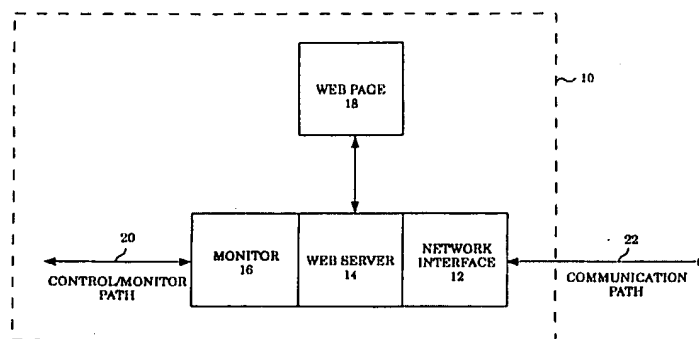
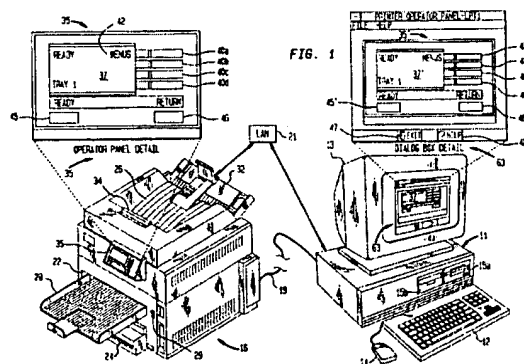


Figure 1a

Webb discloses the remote printer status information indication that is used for monitoring printer status (Webb Abstract). With reference to Figure 1, Webb discloses a computer (reasonably interpreted as a second destination) connected to a printer device via cable (item 19). Although Webb discloses said item as a parallel interface, Web also discloses this interface can be serial based as well (see Webb column 11 lines 1-5, column 10 lines 1-3). Webb discloses bi-directional communication of monitoring information via the Network Printer Alliance Protocol (NPAP), which is a protocol specific to printer communication. Webb also discloses that NPAP is a "format" (see Webb column 7 lines 40-53, and column 8 lines 20-25, Fig. 1). It is also noted that the NPAP protocol/format is different from the HTTP/HTML protocol/format.



D'Souza disclosing discloses an object oriented frame work (D'Souza title), that provides Microsoft Corporation's COM specification defines binary standards for objects and their interfaces whereby a typical object is represented in the system by an instance data structure, a virtual function table, and member functions (D'Souza col. 15, lines 30-40). In addition, disclosing the client programs interact with the object by calling the member functions on a particular interface of the object. The object also exhibits polymorphism and inheritance in that the object which can provide interfaces in common with a base class and other similar objects, so that client programs can interact with each of the objects in the same manner by calling member functions of the interface that the objects have in common (D'Souza col. 16, lines 1-15).

Response to Remarks

Beginning on page 2 of 8 of the REMARKS (hereinafter the remarks), Applicant argues the following issues, which are accordingly addressed below.

Regarding rejection of claim 1, the Applicant argues that there is no teaching in Aikens Venkatraman, and Webb, fail to disclose the **step of receiving, from a first one of the plurality of target applications through an interface, by a monitoring device in the appliance or device, a request to send first information regarding monitored usage of the first one of the plurality of target applications to a first predetermined destination through a first communication protocol using a first data format** (the remarks, mid- page 3). The examiner disagrees, as disclosing in the rejection above, specifically Aiken discloses a printer device with operation monitoring (collection) capabilities (Aikens Abstract), whereby said printer comprises control boards (target applications) providing control for predetermined systems of said printer (Aikens Figure 2 items 102, 104, and 106). Since Aikens teaches that any one of the control

boards can be the master control for the other boards, Aiken Figure 2 item 108 (with modem item 120), can be designated as the master controller, and therefore reasonably interpreted as a **first predetermined destination** of Applicant invention. In order for item 36 and 52 of Aikens (Aikens internal user interface - see Aikens Figure 2) to monitor accordingly, communication (i.e. a "first request" for "first" information) commences between said interface, the master control, and the various control board applications (one or more boards) utilizing communication channel 98, said information comprising monitoring (i.e. usage) information. In addition, Aikens does not explicitly teach, but Venkatraman teaches the **first communication protocol using a first data format**. For example Venkatraman discloses the embedding Web access in an appliance (i.e. a printer) for user interface functions (Venkatraman Abstract). With reference to Venkatraman Figure 1a, Venkatraman discloses monitoring of a printer device via printer device (item 10), an embedded monitor for monitoring accordingly (item 16), an embedded web server (item 14), and an embedded web page dynamically created to provide monitored information and user interface functions (Venkatraman col. 3 lines 5-42). It is noted that all of the above items reside within printer device item 10. Venkatraman also discloses HTTP as a protocol, and HTML as a language (format) (Venkatraman col. 2 lines 42-48).

In addition, the Applicant argues that **Claim 1. Rather, Aikens patent merely discloses that a user can set up conditions upon which information is reported from a copy machine to a remote device upon the occurrence of particular events** (the remarks, mid- page 3). The examiner disagrees, specifically a user can set up conditions is not claimed (see above rejection for details). Since Applicant does not claim a user can set up conditions and the Applicant does not claim when a user can performed the setting up conditions, thereby the Examiner equates the

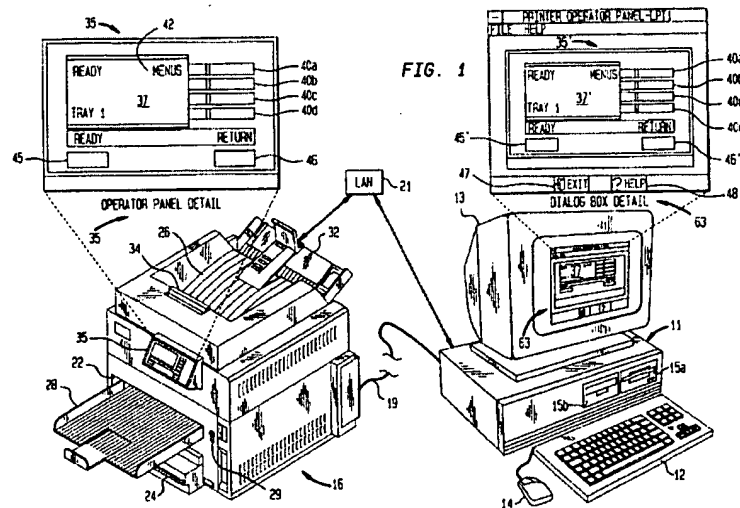
claimed as equivalent to automatic notification to selected remote devices in response to machine conditions detected by a machine monitoring element including displaying machine condition options for selection of predetermined machine conditions for automatic notification to remote stations as taught by Aikens as discuss in the rejection above.

Furthermore, the Applicant argues that the combination of Aikens, Venkatraman, and Webb, fail to disclose **a particular application or component within the Aikens' copier sends a request to send information regarding monitored usage of that component or application to a monitoring device in Aikens copier. Rather, Aikens patent discloses that information is automatically sent upon the occurrence of certain events, and that no requests to send monitored information are initiated by a target application within the copier, as required by Claim 1** (the remarks, top - page 4). The examiner disagrees, it is not claimed, specifically the limitation of a particular application or component **within** the Aikens' copier (see above rejection for details). To clarify the Applicant argument, specifically Aikens discloses an all in one (copier and printer) see fig. 2 of Aikens, and also taught by Webb in Fig. 1 an all in one (copier and printer).

In addition, the Applicant argues that the combination of Aikens Venkatraman, and Webb, fail to disclose **receiving, from a first one of the plurality target applications through an interface, by a monitoring device in the application or device, a request is sent first information regarding monitored usage of a first one of plurality of target applications to a first predetermined destination to a first communication protocol using a first format, as recited in Claim 1** (the remarks, mid - page 4). The examiner disagrees. Specifically Webb discloses the remote printer status information indication that is used for monitoring printer

Art Unit: 2176

status (Webb Abstract). With reference to Figure 1, Webb discloses a computer (reasonably interpreted as a second destination) connected to a printer device via cable (item 19). Although Webb discloses said item as a parallel interface, Web also discloses this interface can be serial based as well (see Webb column 11 lines 1-5, column 10 lines 1-3). Webb discloses bi-directional communication of monitoring information via the Network Printer Alliance Protocol (NPAP), which is a protocol specific to printer communication. Webb also discloses that NPAP is a "format" (see Webb column 7 lines 40-53, and column 8 lines 20-25, Fig. 1). It is also noted that the NPAP protocol/format is different from the HTTP/HTML protocol/format.



In addition, Venkatraman discloses the embedding Web access in an appliance (i.e. a printer) for user interface functions (Venkatraman Abstract). With reference to Venkatraman Figure 1a, Venkatraman discloses monitoring of a printer device via printer device (item 10), an embedded monitor for monitoring accordingly (item 16), an embedded web server (item 14), and an embedded web page dynamically created to provide monitored information and user interface functions (Venkatraman col. 3 lines 5-42). It is noted that all of the above items reside within

Art Unit: 2176

printer device item 10. Venkatraman also discloses HTTP as a protocol, and HTML as a language (format) (Venkatraman col. 2 lines 42-48).

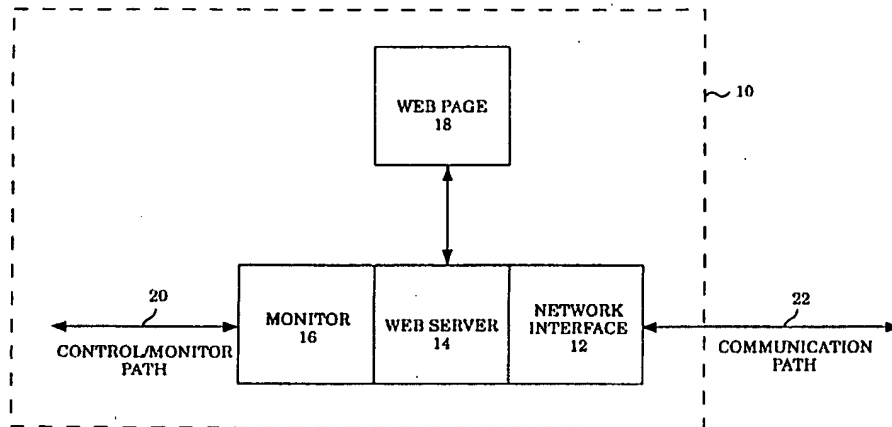


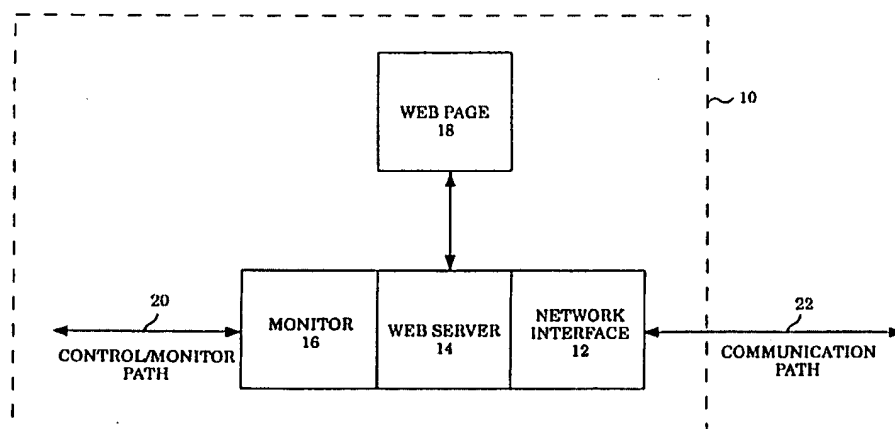
Figure 1a

Furthermore, the Applicant argues that the combination of Aikens, Venkatraman, and Webb, fail to disclose a **target application within the appliance or device sends a request to a monitoring device for the monitoring device to send information regarding monitored usage of the target application to a first predetermined destination, as recited in Claim 1.** Discussed above with regard to Aikens patent. The examiner disagrees. It is not claimed, specifically the limitation of a particular application or component **within** the Aikens' copier (see above rejection for details). To clarify the Applicant argument, specifically Aikens discloses an all in one (copier and printer) see fig. 2 of Aikens, and also taught by Webb in Fig. 1 an all in one (copier and printer).

In addition, the Applicant argues that the combination of Aikens, Venkatraman, and Webb, **do not teach or suggest a target application that sends a request for information regarding its usage to be sent to another device.** Rather, the Venkatraman patent is merely

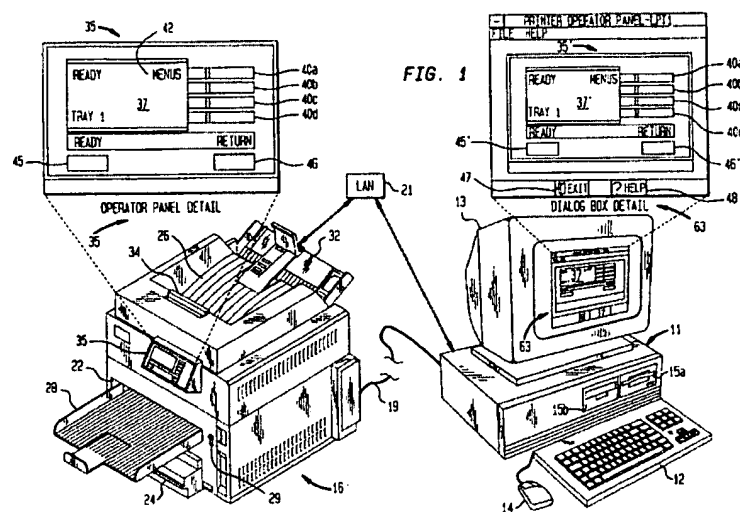
Art Unit: 2176

directed to a device having a web server accessible by a user through the network interface using a web browser (the remarks, bottom-page 4, and second haft page 5). The examiner disagrees. It is not claimed another device. However, to clarify the Applicant argument, specifically Venkatraman discloses the embedding Web access in an appliance (i.e. a printer) for user interface functions (Venkatraman Abstract). With reference to Venkatraman Figure 1a, Venkatraman discloses monitoring of a printer device via printer device (item 10), an embedded monitor for monitoring accordingly (item 16), an embedded web server (item 14), and an embedded web page dynamically created to provide monitored information and user interface functions (Venkatraman col. 3 lines 5-42). It is noted that all of the above items reside within printer device item 10. Venkatraman also discloses HTTP as a protocol, and HTML as a language (format) (Venkatraman col. 2 lines 42-48);

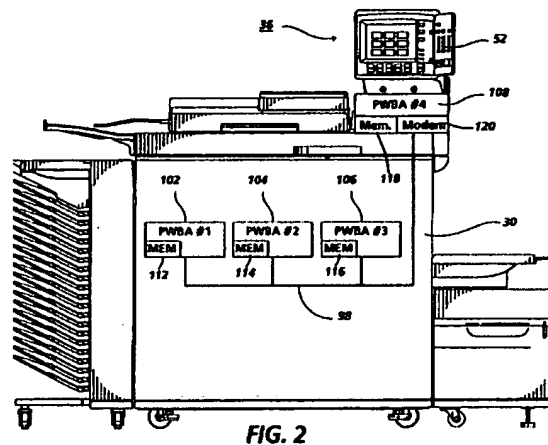
**Figure 1a**

and also Webb discloses a computer (reasonably interpreted as a second destination) connected to a printer device via cable (item 19). Although Webb discloses said item as a parallel interface, Web also discloses this interface can be serial based as well (see Webb column 11 lines 1-5,

column 10 lines 1-3). Webb discloses bi-directional communication of monitoring information via the Network Printer Alliance Protocol (NPAP), which is a protocol specific to printer communication. Webb also discloses that NPAP is a "format" (see Webb column 7 lines 40-53, and column 8 lines 20-25, Fig. 1). It is also noted that the NPAP protocol/format is different from the HTTP/HTML protocol/format.



Furthermore, the Applicant argues the Examiner fails to **establish a prima facie case of obviousness to combine Aikens Venkatraman, and Webb** (the remarks, pages 6-7). The examiner disagrees. For Example **Aikens** discloses a printer device with operation monitoring (collection) capabilities (Aikens Abstract), whereby said printer comprises control boards (target applications) providing control for predetermined systems of said printer (Aikens Fig. 2 items 102, 104, and 106).



Venkatraman discloses the embedding Web access in an appliance (i.e. a printer) for user interface functions (Venkatraman Abstract), an embedded monitor for monitoring accordingly (item 16), an embedded web server (item 14), and an embedded web page dynamically created to provide monitored information and user interface functions via communication path (item 22) (Venkatraman col. 3 lines 5-42, Fig. 1a).

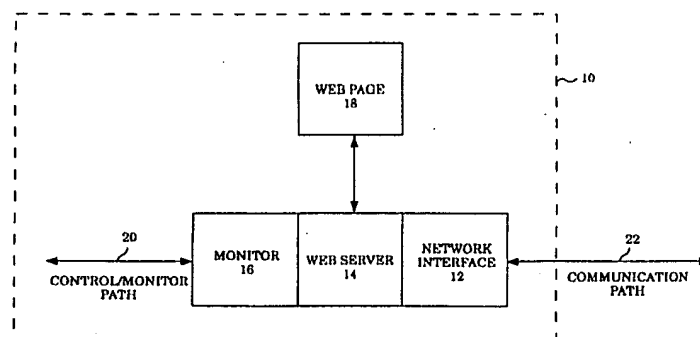
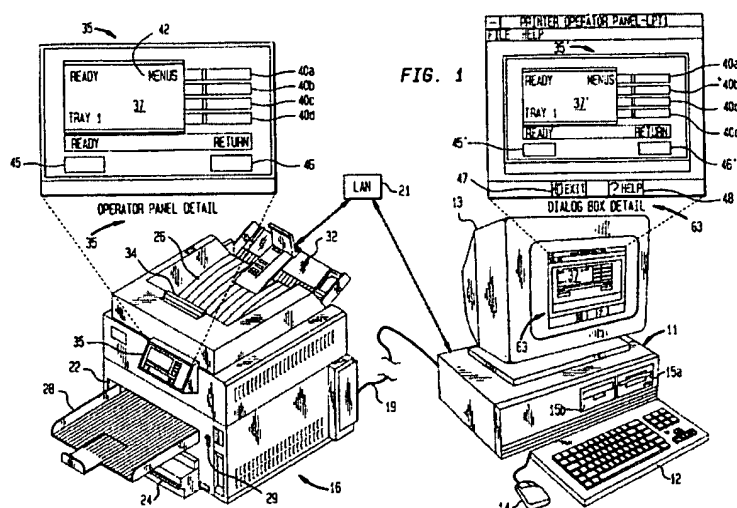


Figure 1a

Webb discloses the remote printer status information indication that is used for monitoring printer status (Webb Abstract). With reference to Figure 1, Webb discloses a computer (reasonably interpreted as a second destination) connected to a printer device via cable (item 19). Although Webb discloses said item as a parallel interface, Web also discloses this interface can

Art Unit: 2176

be serial based as well (see Webb column 11 lines 1-5, column 10 lines 1-3). Webb discloses bi-directional communication of monitoring information via the Network Printer Alliance Protocol (NPAP), which is a protocol specific to printer communication. Webb also discloses that NPAP is a "format" (see Webb column 7 lines 40-53, and column 8 lines 20-25, Fig. 1). It is also noted that the NPAP protocol/format is different from the HTTP/HTML protocol/format.



It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Venkatraman's HTTP and HTML protocol and format to Aiken's internal communication, providing the user interface of Aikens the benefit of Web page presentation (i.e. URLs, etc.) for a visually enhanced user interface, and for providing monitoring utilizing Aikens' modem interface connected to the Internet and further includes a means to apply Webb to Aikens (using Aikens' serial port- see Aikens column 6 line 7), providing Aikens the benefit of bi-directional control to Aikens' status (usage) monitoring, facilitating accurate visual monitoring.

In addition, the Applicant argues that claim 1 of Applicant invention does not claim, **the Internet, bi-directional control, or visual monitoring as taught by the combination of**

Aikens, Venkatraman, and Webb (the remarks, bottom-page 6). The examiner disagrees, specifically the Applicant invention page 3 para 18 discloses "Internet", portion of evidence are produced for convenience:

Applicant invention specification [0018]

[The present invention achieves these and other objects by monitoring the events of a target application of an application unit or by receiving the instruction to send the available stored information through a specified communication protocol... The data obtained by monitoring events of a target application of an application unit, appliance, or device can, as a further feature in the present invention, be collected, logged and communicated to a desired location by a store-and-forward protocol (e.g., Internet e-mail) or a "direct" connection protocol, e.g., in which a socket connection is made to an ultimate destination machine (e.g., using FTP or HTTP...)].

For at least all the above evidence, therefore the Examiner respectfully maintains the rejection of claims **1-25**, and should be sustained at this time.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is 571-272-8664. The examiner can normally be reached on Monday through Friday from 9 AM to 5 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Herndon R. Heather can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
12/21/2006

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER